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Filing date: **03/28/2006**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Proceeding	92045288
Party	Defendant KINETIC MARKETING INC. KINETIC MARKETING INC. 1133 BROADWAY NEW YORK, NY 10010
Correspondence Address	KINETIC MARKETING INC. 1133 BROADWAY NEW YORK, NY 10010
Submission	Motion to Amend/Amended Answer or Counterclaim
Filer's Name	Julie B. Seyler
Filer's e-mail	jbseyler@lawabel.com
Signature	/Julie B. Seyler/
Date	03/28/2006
Attachments	KINETIC ANSWER TO AMENDED PETITION TO CANCEL.pdf ( 4 pages )

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**

In re Registration No. 1,454,926  
Registered September 1, 1987

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Qinetiq Limited	:	
	:	
Petitioner	:	
	:	
v.	:	Cancellation No. 92045288
	:	
Kinetic Marketing Inc.	:	
	:	
Registrant	:	

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**Registrant's Answer to Amended Petition to Cancel**

1. Registrant admits Paragraph 1.
2. Registrant admits Paragraph 2.
3. Registrant has insufficient information about Petitioner and Petitioner's goods and therefore denies the allegations in Paragraph 3.
4. Registrant has insufficient information about Petitioner and Petitioner's business and therefore denies the allegations in Paragraph 4.
5. Registrant has insufficient information about Petitioner and Petitioner's application and therefore denies the allegations in Paragraph 5.
6. Registrant has insufficient information about Petitioner and Petitioner's application and therefore cannot affirm or deny the allegations in Paragraph 6.
7. Registrant denies Paragraph 7.
8. Paragraph 8 speaks to "current guidelines in the Trademark Manual of Examining Procedure". This is not a statement of fact related to Registrant, and Registrant has no obligation to affirm or deny this allegation. It is noted that said "current guidelines" were not in effect on September 1, 1987, the date Registration No. 1,454,926 issued.

9. Paragraph 9 speaks to "Section 18 of the Trademark Act." Registrant has no obligation to affirm or deny this allegation. It is not a statement of fact related to Registrant.

10. Registrant admits it submitted a Declaration under Section 8 & 15 and complied with the requirements for said submission.

11. Registrant denies Paragraph 11.

12. Registrant has insufficient information as to the print-outs referred to in Paragraph 12 and therefore can neither affirm nor deny the allegations related thereto.

13. Registrant admits that a Section 8 & 15 Declaration was timely submitted for Registration NO. 1,454,926 and said declaration was accepted by the Trademark Office.

14. Registrant denies Paragraph 14.

15. Registrant denies Paragraph 15.

16. Registrant denies Paragraph 16.

17. Registrant has insufficient information as to the allegations related to "an unnecessary refusal of registration" and therefore denies same and otherwise denies all allegations set forth in Paragraph 17.

18. Registrant has insufficient information as what the trademark examining attorneys have done and therefore can neither admit nor deny the allegations set forth in Paragraph 18.

19. Registrant denies Paragraph 19.

20. Registrant denies Paragraph 20.

21. Registrant has insufficient information as to the print-outs referred to in Paragraph 21 and therefore can neither affirm nor deny the allegations related thereto.

22. Registrant denies Paragraph 22.

23. Registrant denies Paragraph 23.

24. Registrant denies Paragraph 24.

25. Registrant has insufficient information as to the allegations related to "an unnecessary refusal of registration" and therefore denies same and otherwise denies all allegations set forth in Paragraph 25.

26. Registrant has insufficient information as to what the trademark examining attorneys have done and therefore can neither admit nor deny the allegations set forth in Paragraph 26.


27. Registrant denies all allegations relate to the alleged defectiveness and invalidity of Registration No. 1,454,926 and otherwise has insufficient information as to the allegations set forth in Paragraph 27 and therefore denies same.

28. Registrant has insufficient information as to the allegations set forth in Paragraph 28 and therefore denies same.

29. Registrant denies Paragraph 29.

WHEREFORE, it is requested that the cancellation be dismissed with prejudice.

Respectfully submitted,

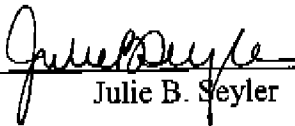
  
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JULIE B. SEYLER  
Attorney for Registrant

**ABELMAN, FRAYNE & SCHWAB**  
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(212) 949-9022

**CERTIFICATE OF SERVICE**

I hereby certify that the foregoing Answer to the Petition to Cancel was served by first class mail, postage prepaid this 28<sup>th</sup> day of March 2006 upon the following:

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Julie B. Seyler